

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 17, 1967

Appeal No. 9209 B. G. Wilkinson, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 19, 1967.

ORDERED:

That the appeal for a variance from the use provisions of the R-1-B District to permit a 3-unit apartment or in the alternative to permit extension of a nonconforming flat into 3 units at 7120 Piney Branch Road, N.W., lot 824, Square 3174, be denied.

FINDINGS OF FACT:

1. The appellant's property is located in an R-1-B District.
2. The appellant proposes to continue the use of the existing building as a 3-unit apartment, or, in the alternative, to permit extension of a nonconforming flat into 3 units.
3. The Department of Licenses & Inspections issued an Occupancy Permit in 1960 to permit the use of this property for three flats.
4. Neighbors Incorporated opposes this appeal on the grounds that it is contrary to the existing zoning and that the objective of Neighbors, Inc., is to stabilize the area permitting only those uses that are compatible to the zoning districts.

OPINION:

The Board is of the opinion that the appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. The appellant

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must show a hardship of exceptional narrowness, shallowness, or shape of a piece of property or by reason of exceptional topographical conditions that would prevent him from using the property in accordance with the Zoning Regulations. The Board therefore denies this application.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

A handwritten signature in dark ink, appearing to read "Charles E. Morgan", is written over a horizontal line.

CHARLES E. MORGAN  
Secretary of the Board